

Attachment 2

Date

Permittee
Title
Address.

**Re: Termination of Post-Closure Care, Facility Name, Permit No. ###
Facility Location**

Dear Mr./Ms. Permittee:

The Department has completed the review of the certification dated *[DATE]* by *[Professional Engineer's Name]*, P.E. verifying that post-closure care has been completed in accordance with the post-closure care plan. In addition, the Department has also completed the review of the evaluation prepared by *[Professional Engineer's Name]*, P.E. and signed and dated by you on *[DATE]* assessing and evaluating the landfill's potential for harm to human health and the environment in the event that post-closure monitoring and maintenance is discontinued.

The Department has determined that post-closure care monitoring and maintenance may be discontinued at the above referenced facility based on the certification and evaluation provided, review of DEQ records, and the Department's site inspection conducted on *[DATE]*. Based on your demonstration of satisfactory completion of post-closure care, *Permittee* is released from the requirements of Solid Waste Permit No. ### for the operation and maintenance of the *[Facility Name]* effective *[DATE]*.

All existing groundwater monitoring and gas monitoring wells must be maintained in good working order or be properly abandoned according to an abandonment procedure approved by the Department.

Additionally, [\[Permittee/Owner\]](#) is no longer required to demonstrate financial assurance for the [\[Facility Name\]](#). Please direct questions concerning financial assurance to [\[OFA Staff\]](#) at [\[phone or email\]](#).

The termination of post-closure monitoring and maintenance is self-certifying and self-implementing, meaning the owner is responsible for ensuring that the information contained in the certification is pertinent and correct and the owner is responsible for any future deficiencies or adverse impacts to human health and the environment. It is the responsibility of the current owner and any future owners to prevent the facility from becoming an open dump, hazard or nuisance.

The department suggests that at a minimum the owner or future owners of the facility:

1. Inspect the cap periodically, no less than quarterly, and after major storm events for evidence of settlement, subsidence or erosion that could compromise the effectiveness of the final cover system. Repairs must be made as needed to the final cover system.
2. Protect the integrity of the cap during the design and installation of all utilities, lighting, parking areas, roads and buildings.
3. Inspect storm water conveyances, no less than quarterly, and after major storm events for evidence of erosion. Conveyances must be maintained including ditches and ditch lining, pipes and storm water/sediment ponds.
4. Insure that any proposed buildings and other structures are designed and built to prevent the accumulation of decomposition gasses.
5. Maintain the survey plat and deed notation required by the VSWMR 9 VAC 20-80-[250.E.5](#), [260.E.4](#), and [270.E.4](#), in perpetuity with the local land recording authority. If the property is subdivided in the future, the survey plat and deed notation required by the VSWMR 9 VAC 20-80-[250.E.5](#), [260.E.4](#), and [270.E.4](#) needs to be placed on the subdivision plat and deed and recorded with the local land recording authority.

In the event that releases are observed from the facility in the future, criteria listed under Part IV, Open Dump, of the VSWMR will be used to determine if the facility has created a substantial present or potential hazard to human health or the environment. If the site meets any of the open dump criteria in the future, the Director will require additional activities as may be necessary on the part of the facility owner or future owners to correct such deficiencies.

As provided by rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date of service of this decision to initiate an appeal of this decision, by filing notice with:

David K. Paylor, Director
Virginia Department of Environmental Quality
Attn: Waste Division
P.O Box 10009
Richmond, Virginia 233240-0009

In the event that this decision is served to you by mail, three days are added to that period. Please refer to Part Two of the rules of the Supreme Court of Virginia, which describe the required content of the Notice of Appeal, including specification of the Circuit Court to which an appeal is taken and additional requirements governing appeals from decisions of administrative agencies.

Rule 2A:2 can be found at the following link:

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+scr+vscr-2AZ2>

Should you have any questions or desire further information regarding this decision please contact *[DEQ Waste Managers Name]*, Waste Compliance and Permitting Manager at *[Phone Number]*.

Sincerely,

Regional Director

cc: *Groundwater Manager*, DEQ, CO
OFA Manager, DEQ, Office of Financial Assurance
Waste Compliance and Permitting Manager, DEQ, *RO*
Permit Writer, DEQ, *RO*
Compliance Inspector, DEQ, *RO*